

Copyright Office, Library of Congress

§211.4

- (i) Qualifications to examine or otherwise consider a particular copyright application.
- (ii) Usual practice or whether the employee followed a procedure set out in any Office manual of practice in a particular case.
- (iii) Consultation with another Office employee.
- (iv) Familiarity with:
 - (A) Preexisting works that are similar.
 - (B) Registered works, works sought to be registered, a copyright application, registration, denial of registration, or request for reconsideration.
 - (C) Copyright law or other law.
 - (D) The actions of another Office employee.
 - (v) Reliance on particular facts or arguments.
- (2) To inquire into the manner in and extent to which the employee considered or studied material in performing the function.
- (3) To inquire into the bases, reasons, mental processes, analyses, or conclusions of that Office employee in performing the function.
- (4) In exceptional circumstances, the General Counsel may waive these limitations pursuant to §205.3 of this part.

PART 211—MASK WORK PROTECTION

Sec.

- 211.1 General provisions.
- 211.2 Recordation of documents pertaining to mask works.
- 211.3 Mask work fees.
- 211.4 Registration of claims of protection in mask works.
- 211.5 Deposit of identifying material.
- 211.6 Methods of affixation and placement of mask work notice.

AUTHORITY: 17 U.S.C. 702 and 908.

SOURCE: 50 FR 26719, June 28, 1985, unless otherwise noted.

§211.1 General provisions.

- (a) Mail and other communications with the Copyright Office concerning the Semiconductor Chip Protection Act of 1984, Pub. L. 98-620, chapter 9 of title 17 U.S.C., shall be addressed to: Library of Congress, Department MW, Washington, DC 20540.
- (b) Section 201.2 of this chapter relating to the information given by the Copyright Office, and parts 203 and 204 of this chapter pertaining to the Freedom of Information Act and Privacy Act, shall apply, where appropriate, to the administration by the Copyright

Office of the Semiconductor Chip Protection Act of 1984, Pub. L. 98-620.

- (c) For purposes of this part, the terms *semiconductor chip product*, *mask work*, *fixed*, *commercially exploited*, and *owner*, shall have the meanings set forth in section 901 of title 17 U.S.C.

§211.2 Recordation of documents pertaining to mask works.

The conditions prescribed in §201.4 of this chapter for recordation of transfers of copyright ownership and other documents pertaining to copyright are applicable to the recordation of documents pertaining to mask works under section 903 of title 17 U.S.C.

[50 FR 26719, June 28, 1985, as amended at 66 FR 34373, June 28, 2001]

§211.3 Mask work fees.

- (a) Section 201.3 of this chapter prescribes the fees or charges established by the Register of Copyrights for services relating to mask works.
- (b) Section 201.6 of this chapter on the payment and refund of Copyright Office fees shall apply to mask work fees.

[50 FR 26719, June 28, 1985, as amended at 56 FR 59886, Nov. 26, 1991; 59 FR 38372, July 28, 1994; 63 FR 29139, May 28, 1998; 64 FR 29522, June 1, 1999]

§211.4 Registration of claims of protection in mask works.

- (a) *General.* This section prescribes conditions for the registration of claims of protection in mask works pursuant to section 908 of title 17 U.S.C.
- (b) *Application for registration.* (1) For purposes of registration of mask work claims, the Register of Copyrights has designated "Form MW" to be used for all applications submitted on and after January 7, 1985. Copies of the form are available free upon request to the Public Information Office, U.S. Copyright Office, Library of Congress, Washington, DC 20559. Applications submitted before January 7, 1985 will be dated January 7, 1985.
- (2) An application for registration of a mask work claim may be submitted by the owner of the mask work, or the duly authorized agent of any such owner.